

DANIEL G. BOGDEN  
United States Attorney  
District of Nevada

KRYSTAL J. ROSSE  
TROY K. FLAKE  
Assistant United States Attorneys  
501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101  
Telephone: 702-388-6336  
Email: *krystal.rosse@usdoj.gov*  
*troy.flake@usdoj.gov*

*Attorneys for the United States.*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

EDWARD C. HUGLER, Acting Secretary of  
Labor, United States Department of Labor,

Plaintiff,

v.

LOCAL 872, LABORERS INTERNATIONAL  
UNION OF NORTH AMERICA,

Defendant.

Case No. 2:15-cv-01979-GMN-CWH

**NOTICE PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 25(d),  
ERRATA AND ORDER**

Pursuant to Federal Rule of Civil Procedure 25(d), “when a public officer who is a party in an official capacity ... ceases to hold office while the action is pending... [t]he officer’s successor is automatically substituted as a party.”

Accordingly, Acting Secretary of Labor Edward C. Hugler, successor to Thomas E. Perez, is automatically substituted as the Plaintiff in this action for all purposes.

Plaintiff also requests that the Court take notice of the following errata in its Motion for Summary Judgment (ECF #31): The appointment of Solicitor M. Patricia Smith, who is listed of counsel, expired on January 20, 2017. Her signature should have been omitted and replaced with the signature of Katherine E. Bissell, Deputy Solicitor for Regional Enforcement.

1 Plaintiff Acting Secretary of Labor Edward C. Hugler respectfully requests that the court  
2 direct the clerk's office to correct the caption to reflect the correct Plaintiff in this case.

3 Dated this 7th day of February 2017.

4 BENJAMIN C. MIZER  
5 Principal Deputy Assistant Attorney General

6 DANIEL G. BOGDEN  
7 United States Attorney

8 /s/ Troy K. Flake  
9 TROY K. FLAKE  
10 KRYSTAL J. ROSSE  
11 Assistant United States Attorneys

12 *Of Counsel:*

13 KATHERINE E. BISSELL  
14 Deputy Solicitor for Regional Enforcement  
15 CHRISTOPHER B. WILKINSON  
16 Associate Solicitor  
17 CLINTON WOLCOTT  
18 Counsel for Legal Advice  
19 SHIREEN M. MCQUADE  
20 Attorney

21 *Attorneys for United States Department of Labor*

22 **ORDER**

23 **IT IS HEREBY ORDERED**, that the clerk's office will change the caption to reflect the  
24 correct Plaintiff in this case, Edward C. Hugler, Acting Secretary of Labor, United States  
25 Department of Labor, thus terminating Thomas E. Perez.

26   
27 ~~UNITED STATES DISTRICT JUDGE~~  
28 **UNITED STATES MAGISTRATE JUDGE**

**DATED:** May 19, 2017